

AO 91 (Rev. 08/09) Criminal Complaint

AUSA Eaton Brown, 313-226-9184

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America)

v.)

Stuart B. BLAKESBERG)

Dob: XX/XX/1965)

SSN: 094-XX-XXXX)

Case:2:10-mj-30189

Judge: Unassigned,

Filed: 05-24-2010 At 01:13 PM

STUART BLAKESBERG (SJ)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 23, 2010 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

Title 18 USC 2252A(a)(1)

Offense Description

Knowingly Transporting Child Pornography in Interstate or Foreign Commerce.

This criminal complaint is based on these facts:

See Attached Affidavit.

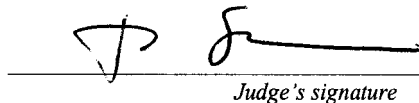
☒ Continued on the attached sheet.


Complainant's signature

Jay V. Ratermann, ICE Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 05/24/2010


Judge's signature

City and state: Detroit, Michigan

Magistrate Judge R. Steven Whalen

Printed name and title

AFFIDAVIT OF SPECIAL AGENT Jay V. Ratermann, ICE

I, Jay V. Ratermann, being duly sworn, depose and state the following:

- (1) I am currently employed as a Special Agent with the United States Department of Homeland Security, U.S. Immigration and Customs Enforcement (ICE), Detroit, Michigan. I have been employed as a Special Agent since August 9, 2001, when I began my career as a Special Agent with United States Customs Service, Office of Investigations, Detroit, Michigan. On March 1, 2003, the Special Agents of the U.S. Customs Office of Investigations were merged with Special Agents from the Immigration and Naturalization Service (INS) to form ICE. During the course of my career, I have received extensive training in the methods used by alien smugglers, drug traffickers, money laundering organizations, and child exploitation offenders. I have participated in numerous arrests for various violations of law; as well as numerous seizures of narcotics and other contraband, and seizures of currency, monetary instruments, computer equipment, and business and financial records. As part of my duties as an ICE agent, I investigate criminal violations relating to child exploitation and child pornography (as defined in Title 18 U.S.C. § 2256)¹ including violations pertaining to the production, distribution, transportation, receipt and possession of child pornography, in violation of Title 18 U.S.C. §§ 2252(a) and 2252A.
- (2) The information set forth in this affidavit is based on my observations during the course of this investigation, information relayed to me by other law enforcement officers, and from reports that I have reviewed. This affidavit is provided in support of an application for a criminal complaint for the following individual, for violations of Title 18 U.S.C. §§

¹ "Child Pornography means any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where – (A) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct; . . . [or] (C) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct." For conduct occurring after April 30, 2003, the definition also includes "(B) such visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from that of a minor engaging in sexually explicit conduct." 18 U.S.C. § 2256(8).

2252A(a)(5)(B) and 2252A(a)(1), which make it a crime to possess and transport child pornography in interstate or foreign commerce by computer.

- (3) This affidavit is made in support of a criminal complaint against the following individual:

Stuart B. BLAKESBERG

Dob: XX/XX/1965

SSN: 094-XX-XXXX

- (4) I am familiar with the information contained in this Affidavit based upon the investigation I have conducted and based on my conversations with other law enforcement officers who have engaged in numerous investigations involving child pornography. Because this Affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to the affiant concerning this investigation. I have set forth only those facts that I believe are necessary to establish probable cause that Stuart BLAKESBERG possessed and transported images depicting minors engaged in sexually explicit activity, in violation of Title 18 U.S.C. §§ 2252 and 2252A.

- (5) On May 23, 2010, United States Citizen Stuart BLAKESBERG entered into the United States at Detroit Metropolitan Airport from Manila, Philippines via Delta Airlines Flight No. 630 from Nagoya, Japan. BLAKESBERG declared on his U.S. Customs and Border Protection (CBP) Form 6059B Customs Declaration that he had visited the Philippines, Malaysia, Thailand, Burma, Laos, Cambodia, and China. During subsequent inspection by CBP, officers discovered numerous electronic media in BLAKESBERG'S possession, including one (1) Apple Laptop computer, serial number YD922C5Y4RL. Upon inspecting BLAKESBERG'S laptop, CBP Officers noted it required a password to access. At the request of the CBP Officers, BLAKESBERG voluntarily typed the password "snoopy" into the laptop, thereby allowing access to its contents. Upon reviewing the laptop, CBP officers found videos depicting child pornography.

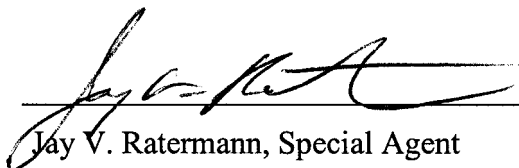
(6) ICE agents, including your affiant, responded to the Detroit Metropolitan Airport. A subsequent preview of BLAKESBERG'S laptop by a certified ICE Computer Forensics Agent (CFA) revealed one video of approximately forty-seven minutes and eight seconds (47:08) in length, titled "Kelly & Amber & Company [PTHC].mpg", which depicted a white, juvenile female performing sexual acts on herself and on an adult white male. This video was located in a file labeled "Frostwire Incomplete.txt." Also contained in the "Frostwire Incomplete.txt" folder were approximately thirty-four (34) other videos, bearing titles which are indicative of child pornography content, including the following:

- a. "T-1057259520-pthc_12yo Kim learn fuk 11yo boy St. Petersburg.mpg".
- b. "T1083123334-(Pthc Pedo) Young Video Models – r02 – Roxana 11yo (Youngvideomodels Yvm) (----, ----, -----, -----).avi".
- c. "T-110285431-pthc Russian Girl 11yo – Daddy rams Butt Plug, then Good Anal.mpg".
- d. "T-112583682-Amusing-Kids – Katia 1 (Lolmag) (Pthc) (Hussyfan) (Lolitaguy) (Lolsonly) (Knabino) (Showstars) (Ls Magazine) (1).avi".

(7) The preview further revealed two additional files, titled "Frostwire Saved.txt" and "Limewire Incomplete.txt," which contained videos bearing titles which are indicative of child pornography content. "Frostwire Saved.txt" contained approximately (8) such titles, and "Limewire Incomplete.txt" contained approximately (2) such titles.

(8) In addition, BLAKESBERG was also found to possess numerous rewriteable DVDs (DVDR) in his possession, approximately six (6) of which bore titles indicating the source of the content to be Frostwire, the same apparent source as the child pornographic video referenced above as "Kelly & Amber & Company [PTHC].mpg." Law enforcement conducted a preview on one such DVDR bearing the handwritten title "Frostwire 5," and located a second video containing child pornography. This video, titled, "10yo Cindy – Playing with Dad," depicted an underage female having sex with an adult male.

- (9) Your affiant interviewed BLAKESBERG, who stated he had been vacationing in Southeast Asia since August 3, 2009, living off his savings, and was returning to his parent's home of XXX6 Rainy River Drive, Houston, Texas. BLAKESBERG stated he is currently unemployed, but was formerly employed as a Television Producer by WFLA in Tampa, Florida. BLAKESBERG stated he has no current U.S. residence, and no telephone. BLAKESBERG further stated that he believed he was being detained by CBP for traveling to countries known for child exploitation. During the interview, your affiant informed BLAKESBERG that his laptop had been found to contain videos of child pornography. BLAKESBERG subsequently requested the presence of an attorney, and the interview was terminated.
- (10) Based on the Affiant's training and experience, in addition to conversations with other law enforcement officers with experience in child pornography investigations, your affiant believes the videos viewed on the laptop and DVDR constitute child pornography, as defined in Title 18 USC Section 2256.
- (11) Based on the information provided in the preceding paragraphs, your affiant believes there is probable cause that on May 24, 2010, BLAKESBERG knowingly possessed and transported child pornography in interstate commerce by computer, in violation of Title 18 U.S.C. §2252A(a)(5)(B), which makes it a crime to possess child pornography, and in violation of Title 18 U.S.C. §2252A(a)(1), which made it a crime to transport child pornography in interstate commerce by computer.

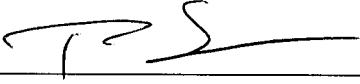


Jay V. Ratermann, Special Agent

U.S. Immigration and Customs Enforcement

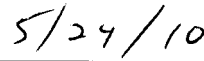
Detroit, Michigan

Sworn to before me and subscribed in my presence this 24TH day of MAY, 2010.

A handwritten signature in black ink, appearing to be 'R. S. Whalen', written over a horizontal line.

R. STEVEN WHALEN

United States Magistrate Judge

A handwritten date '5/24/10' in black ink, written over a horizontal line.

Date